

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re)	
)	Chapter 11
)	
NAVIENT SOLUTIONS, LLC,)	Case No. 21-10249 (MG)
)	
Putative Debtor.)	
)	

**ORDER GRANTING (A) EXPEDITED MOTION TO
DISMISS INVOLUNTARY PETITION AND (B) RELATED RELIEF**

Upon Navient Solutions, LLC’s *Expedited Motion to Dismiss Involuntary Petition and Request for Damages* [Docket No. 14] (the “Motion”)¹ for entry of an order (this “Order”) dismissing the above-captioned Involuntary Case pursuant to sections 105, 303, and 305(a) of title 11 of the Bankruptcy Code, Bankruptcy Rules 1011 and 1014, and Federal Rule 12(b), as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(a)-(b) and 1334(b) and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, dated January 31, 2012, as a core proceeding pursuant to 28 U.S.C. § 157(b) that this Court may decide by a final order consistent with Article III of the United States Constitution; and this Court having found that notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon the record of the hearing held by the Court on the Motion on February 25, 2021 (the “Hearing”); and, after due deliberation, this Court having determined

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

that the legal and factual bases set forth in the Motion and at the hearing establish good and sufficient cause for the relief granted herein,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is granted for the reasons set forth at the Hearing.
2. The Involuntary Case is dismissed pursuant to sections 303(b), 303(h), and 305(a) of the Bankruptcy Code and the Court abstains from adjudicating the Involuntary Case pursuant to section 305(a) of the Bankruptcy Code.
3. Any and all motions, notices, objections, responses, joinders, or other pleadings or filings concerning the Involuntary Case and the Motion that have not been decided prior to the date hereof are denied, dismissed, and/or overruled.
4. Notwithstanding anything to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.
5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order, including, but not limited to, the imposition of damages under section 303(i) of the Bankruptcy Code.
6. Navient has not waived the right to seek judgment against the Petitioners, Counsel, Public Interest Capital, LLC ("PICAP"), and counsel for PICAP pursuant to section 303(i) of the Bankruptcy Code and this Court may, upon subsequent proceedings initiated by Navient, take under advisement additional proceedings related to the Involuntary Case pursuant to section 303(i) of the Bankruptcy Code.

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7. A memorandum opinion will follow in due course elaborating on the findings of fact and conclusions of law supporting this Order and dismissal of the Involuntary Case.

IT IS SO ORDERED.

Dated: February 25, 2021
New York, New York

/s/ Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge